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**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

TRAVIS DALEY, individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

SCICLONE PHARM. INC., JON S. SAXE,  
FRIEDHELM BLOBEL, NANCY T. CHANG,  
RICHARD J. HAWKINS, GREGG ANTHONY  
LAPOINTE, SIMON LI,

Defendants.

Case No. 3:17-cv-04563-CRB

**NOTICE OF VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE**

WHEREAS, Plaintiff filed the above-captioned action (the “Action”) challenging the public disclosures made in connection with the proposed acquisition of SciClone Pharmaceuticals, Inc. (“SciClone”), by affiliates of GL Capital Management GP Limited, Bank of China Group investment Limited, CDH Investments, Ascendent Capital partners, and Boying Investments Limited, pursuant to an agreement and plan of merger filed with the United States Securities and Exchange Commission (“SEC”) on or around June 8, 2017 (the “Transaction”);

WHEREAS, the Action asserted claims for violations of sections 14(a) and 20(a) of the Securities Exchange Act of 1934, as well as SEC Rule 14a-9 promulgated thereunder, by Defendants alleged to have been made in SciClone’s preliminary proxy statement (the “Proxy”) filed with the SEC on or around August 2, 2017;

1 WHEREAS, on August 18, 2017, SciClone filed a definitive proxy statement that included  
2 certain additional information that mooted a number of Plaintiff's claims regarding the sufficiency of  
3 the disclosures in the Proxy;

4 WHEREAS, on September 15, 2017, SciClone filed a supplement to the proxy statement that  
5 included additional information that mooted Plaintiff's remaining claims regarding the sufficiency of  
6 the disclosures in the Proxy (the "Supplemental Disclosure");

7 WHEREAS, on October 30, 2017, International Union of Operating Engineers Local 478  
8 Pension Fund ("Local 478") filed a motion for consolidation, appointment as lead plaintiff, and  
9 approval of its selection of lead and liaison counsel ("Lead Plaintiff Motion");

10 WHEREAS, Plaintiff is mindful of Local 478's Lead Plaintiff Motion, but sees no remaining  
11 viable claims in the operative complaint in the Action;

12 WHEREAS, due to Defendants' mooted of Plaintiff's claims with the August 18, 2017  
13 definitive proxy and Supplemental Disclosure, Plaintiff cannot responsibly leave the Action pending  
14 with no remaining viable claims;

15 WHEREAS, the dismissal of this Action should have no impact or effect on Local 478's ability  
16 to file a complaint of its own asserting any claims it believes might be viable at this time;

17 WHEREAS, for the avoidance of doubt, no compensation in any form has passed directly or  
18 indirectly to Plaintiff or his attorneys and no promise, understanding, or agreement to give any such  
19 compensation has been made, nor have the parties had any discussions concerning the amount of any  
20 mootness fee application or award; and

21 WHEREAS, no class has been certified in the Action;

1 PLAINTIFF HEREBY GIVES NOTICE pursuant to Federal Rule of Civil Procedure 41(a) that  
2 the above-captioned Action is hereby dismissed without prejudice.

3  
4 Dated: November 20, 2017

**LEVI & KORSINSKY, LLP**

5 By: /s/ Rosemary M. Rivas

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11 *Attorneys for Plaintiff Travis Daley*  
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